

REMARKS

Claims 1, 2, 5-9, 11-13 and 15-32 are pending in this application. By this Amendment, claims 1, 22 and 25 are amended. Claim 25 was amended to correct a typographical error therein,

No new matter is added to the application by this Amendment. Support for the features added to claims 1 and 22 can be found in Examples 1-3 of the present specification, as originally filed.

Reconsideration of the application is respectfully requested.

I. Rejections Under 35 USC 103

A. Parsons et al. and Azuma in view of Parsons et al.

Claims 1, 2, 5-9, 11-13, 15, 17, 18, 22-29, 31 and 32 were rejected under 35 USC 103(a) as allegedly being unpatentable over JP 09-286958 to Azuma in view of US 5,851,663 to Parsons et al. (hereinafter "Parsons"); and claims 1, 2, 5-8, 11-13, 15, 18-29, 31 and 32 were rejected under 35 USC 103(a) as allegedly being unpatentable over Parsons. These rejections are respectfully traversed.

The Patent Office alleges that each and every feature of the foregoing claims would have been obvious to a skilled artisan in view of the teachings of Azuma and Parsons and in view of the sole teachings of Parsons. The Patent Office acknowledges that Azuma fails to teach the amount and type of tackifier and introduces Parsons as allegedly remedying the deficiencies of Azuma by allegedly teaching an adhesive having about 26 wt% rosin ester tackifier and 29 wt% flame retardant. Applicants

respectfully disagree with the allegations by the Patent Office as set forth in the Office Action.

Amended claims 1 and 22 requires an adhesive that comprises the flame retardant component in an amount of at least 30% by weight of the adhesive and no greater than 60% by weight of the adhesive and the at least one tackifying resin component in an amount of at least 30% by weight of the adhesive

At best, Parson teaches that, with respect to rubber resin based materials, a tackifying resin is included at a proportion of 40 parts to 150 parts per 100 parts of base elastomer (see col. 4, line 13-32). However, Parsons teaches that, for acrylic adhesives, no addition tackifying resin is required (see col. 4, lines 45 and 46).

Moreover, Examples 13-17 of Parsons teach acrylic adhesives having 0-50 % flame retardant but no tackifying resin and that a thin top coat (approximately 5 microns) of non-flame retardant, pressure-sensitive adhesive may be utilized which may improve the tackiness of the composition (see col. 12, lines 58-60).

Examples 24-26 of Parsons teach tackified acrylic pressure sensitive adhesives having a flame retardant and tackifying resin. However, Examples 24-26 of Parsons do not disclose an acrylic pressure-sensitive adhesive having both tackifying resin and flame retardant at an amount of at least 30 wt% of the adhesive. Nothing in Parsons sets forth using such large amounts (i.e., at least 30 wt %) of both tackifying resin and flame retardant in acrylic pressure-sensitive adhesives. Additionally, claim 3 of Parsons provides further support that Parsons does not teach or suggest an acrylic pressure-sensitive adhesive having both tackifying resin and flame retardant at an amount of at least 30 wt% of the adhesive because claim 3 requires from 40 to 150 parts tackifying

resin by weight per 100 parts by weight of rubber elastomer, whereby the rubber elastomer is selected from rubber elastomers recited in Parsons' claim 2.

Thus, Azuma and Parsons, taken singly or in combination, fail to teach or suggest a pressure-sensitive adhesive having a flame retardant component in an amount of at least 30% by weight of the adhesive and no greater than 60% by weight of the adhesive, wherein the adhesive comprises at least one tackifying resin component in an amount of at least 30% by weight of the adhesive as required by amended claims 1 and 22.

Because these features of independent claims 1 and 22 are not taught or suggested by Azuma and Parsons, taken singly or in combination, these references would not have rendered the features of claims 1 and 22 and their dependent claims obvious to one of ordinary skill in the art.

For at least these reasons, claims 1, 2, 5-8, 11-13, 15, 18-29, 31 and 32 are patentable over Azuma and Parsons, taken singly or in combination. Thus, withdrawal of these rejections under 35 USC 103(a) is respectfully requested.

B. Parsons in view of Sakurai

Claim 9 was rejected under 35 USC 103(a) as allegedly being unpatentable over Parsons in view of US Patent No. 6,893,583 to Sakurai. This rejection is respectfully traversed.

Sakurai does not remedy the deficiencies of Parsons as set forth above with respect to independent claims 1, from which claim 9 depends, because Sakurai also fails to teach or suggest a flame retardant component in an amount of at least 30% by

weight of the adhesive and no greater than 60% by weight of the adhesive and at least one tackifying resin component in an amount of at least 30% by weight of the adhesive.

Accordingly, Parsons and Sakurai, taken singly or in combination, fail to teach or suggest a pressure-sensitive adhesive having a flame retardant component in an amount of at least 30% by weight of the adhesive and no greater than 60% by weight of the adhesive, wherein the adhesive comprises at least one tackifying resin component in an amount of at least 30% by weight of the adhesive as required by claim 1.

Because the features of independent claim 1 are neither taught nor suggested by Parsons and Sakurai, taken singly or in combination, these references would not have rendered obvious to one of ordinary skill in the art the features specifically defined in claim 1 and its dependent claims.

For at least these reasons, claim 9 is patentable over Parsons and Sakurai, taken singly or in combination. Thus, withdrawal of the rejection under 35 USC 103(a) is respectfully requested.

C. Parsons in view of Everaerts

Claim 16, 17 and 30 were rejected under 35 USC 103(a) as allegedly being unpatentable over Parsons in view of US Patent No. 5,648,425 to Everaerts. This rejection is respectfully traversed.

Everaerts does not remedy the deficiencies of Parsons as set forth above with respect to independent claims 1, from which claims 16, 17 and 30 depend, because Everaerts also fails to teach or suggest a flame retardant component in an amount of at least 30% by weight of the adhesive and no greater than 60% by weight of the adhesive

and at least one tackifying resin component in an amount of at least 30% by weight of the adhesive.

Accordingly, Parsons and Everaerts, taken singly or in combination, fail to teach or suggest a pressure-sensitive adhesive having a flame retardant component in an amount of at least 30% by weight of the adhesive and no greater than 60% by weight of the adhesive, wherein the adhesive comprises at least one tackifying resin component in an amount of at least 30% by weight of the adhesive as required by claim 1.

Because the features of independent claim 1 are neither taught nor suggested by Parsons and Everaerts, taken singly or in combination, these references would not have rendered obvious to one of ordinary skill in the art, the features specifically defined in claim 1 and its dependent claims.

For at least these reasons, claims 16, 17 and 30 are patentable over Parsons and Everaerts, taken singly or in combination. Thus, withdrawal of the rejection under 35 USC 103(a) is respectfully requested.

II. Conclusion

In view of the foregoing, it is respectfully submitted that this application is in condition for allowance. Favorable reconsideration and prompt allowance of claims 1, 2, 5-9, 11-13 and 15-32 are earnestly solicited.

Should the Examiner believe that anything further would be desirable in order to place this application in even better condition for allowance, the Examiner is invited to contact the undersigned at the telephone number set forth below.

Early and favorable action is earnestly solicited.

CONDITIONAL PETITION FOR EXTENSION OF TIME

If entry and consideration of the amendments above requires an extension of time, Applicants respectfully request that this be considered a petition therefor. The Commissioner is authorized to charge any fee(s) due in this connection to Deposit Account No. 14-1263.

ADDITIONAL FEE

Please charge any insufficiency of fees, or credit any excess, to Deposit Account No. 14-1263.

Respectfully submitted,
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